

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

SPEARE TOOLS, INC.

Plaintiff,

v.

Case No. 13-cv-324

KLEIN TOOLS, INC.

Defendant.

**CIVIL L. R. 7(h) EXPEDITED NON-DISPOSITIVE MOTION FOR LEAVE
TO FILE AN EXPEDITED MOTION IN EXCESS OF THREE PAGES**

Plaintiff Speare Tools, Inc. (“Speare Tools”) brings this Civil L. R. 7(h) Expedited Non-Dispositive Motion for Leave to File an Expedited Motion in Excess of Three Pages. The motion at issue is Plaintiff’s motion to compel Defendant to answer a critical interrogatory and to produce several categories of documents. The proposed motion is attached as Exhibit A, and is ten pages in length, due mostly because (1) there are written discovery requests that are restated in the brief, (2) there is almost two months of correspondence culminating in the motion to compel, and (3) this is the first substantive motion before the Court, thus, a background of the parties and the case is warranted. Because these facts cannot be effectively communicated in three pages, Plaintiff respectfully requests this Court allow Plaintiff to file a ten-page Civil L. R. 7(h) Expedited Non-Dispositive Motion to Compel.

The reason for the expedited nature of the motion to compel is that expert discovery is scheduled to begin in March, and if Plaintiff’s motion to compel is granted, expert discovery will necessarily need to be delayed until fact discovery is complete. Thus, an expedited motion is required to understand whether the parties need to conduct expert discovery in March, or

whether expert discovery will be extended until Defendant complies with its discovery obligations.

WHEREFORE, Plaintiff respectfully requests the Court to grant Plaintiff's Non-Dispositive Motion for Leave to File an Expedited Motion in Excess of Three Pages.

Dated: February 26, 2014

Respectfully submitted,

SPEARE TOOLS, INC.

By: /s/ Mark M. Grossman
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CERTIFICATE OF SERVICE

I certify that on February 26, 2014, I electronically filed the foregoing Civil L. R. 7(h) Expedited Non-Dispositive Motion for Leave to File an Expedited Motion in Excess of Three Pages with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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*/s/ Mark M. Grossman*_____